

In the Drawings

Replace original sheet 3 presenting Fig. 3 with the appended replacement sheet 3 presenting Figs. 3A-3C to separately label each drawing figure.

REMARKS

By the present Amendment, claims 1-10 are cancelled and claims 11-24 are added. This leaves claims 11-24 pending in the application, with claim 11 being independent.

Substitute Specification

The specification is revised eliminate grammatical and idiomatic errors in the originally presented specification. The number and nature of the changes made in the specification would render it difficult to consider the case and to arrange the papers for printing or copying. Thus, the substitute specification will facilitate processing of the application. The substitute specification includes no "new matter". Pursuant to M.P.E.P. § 608.01(q), voluntarily filed, substitute specifications under these circumstances should normally be accepted. A marked-up copy of the original specification is appended hereto.

Rejections Under 35 U.S.C. §§102 and 103

Claim 11 covers a filter device having a filter housing 22, a filter element 10, a fluid container 40 and a connector 44. The filter housing has fluid connections 30 and 36 and an exterior surface. The filter element is held in the filter housing. The filter container also has an exterior surface. The connector couples the fluid connections to the fluid container, and has at least one longitudinally displaceable blocking part 46 blocking the fluid connections in a blocking position (Figs. 1, 3A and 3B) and opening the fluid connections in an open position thereof (Figs. 2 and 3C). The blocking part is located between and accessible from the exterior surfaces of the filter housing and the filter container when the filter housing and the filter container are coupled by the connector.

By forming the filter device in this manner, the connector can be simply formed and operated. Particularly, the blocking part can be operated independent of movement of the filter device and the fluid container.

Claims 1-9 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,607,582 to Yamazaki. The Yamazaki patent is cited for a filter system 10 having filter element 76 held in a filter housing 16 with fluid connections 90 and 92 connected to a fluid means 12 by a connecting device 14. Connecting device 14 allegedly has displaceable blocking part 106 that blocks the fluid connections 90 and 92 and clears those fluid connections after displacement to an open position.

Relative to claim 2, the Yamazaki blocking part is allegedly a plate shaped sliding valve part guided between connecting plates 108 and 110 of connecting device 14 by a sealing device 130, 124, 152, 154 (Fig. 3) with one plate 108 facing the filter housing and the other plate 110 facing the fluid means (Fig. 4). Relative to claim 3, the Yamazaki patent allegedly has a fluid inlet 90 and a fluid outlet 92 in filter housing 116, and the connecting plates are allegedly provided with fluid passages 132, 134, 148, 150 that correspond to a part of the fluid connections 90 and 92 for blocking and clearing. Relative to claim 4, the Yamazaki fluid connections 90 and 92 and the fluid passages 132, 134, 148 and 150 in the connecting plates 108 and 110 are cited. Relative to claim 5, the passages are allegedly provided with one valve as illustrated in Fig. 4. Relative to claim 6, the Yamazaki valve disc 150 of one valve 110 allegedly projects into the outside of the housing and the valve disc 132 of the other valve 108 is allegedly located on the inlet 90 (Fig. 5). Relative to claim 7, assignable Yamazaki flange parts are allegedly provided on connecting plate 108 facing the housing 16 and encompassing the fluid passages 132 and 134

(Fig. 4). Relative to claim 8, a locking part 156 in the form of a locking pin is allegedly located on the attachment part penetrating the assignable flange 158 and engaging a recess in the blocking part 106 in the open position in the Yamazaki patent (Fig. 5). Relative to claim 9, the Yamazaki patent allegedly has a handle 80 and the openings 148, 150, 132 and 134 allegedly can be used as handles.

Claim 10 stands rejected under 35 U.S.C. §102 as being unpatentable over the Yamazaki patent in view of U.S. Patent No. 6,579,455 to Muzik. The Muzik patent is cited for the use of filter housing parts made of aluminum, steel or plastic. In support of the rejection, it is contended that it would be obvious to use such materials in the Yamazaki filter device.

Claim 11 is patentably distinguishable over the Yamazaki patent by the blocking part being located between and accessible between the exterior surfaces of the filter housing and the filter container when the filter housing in the filter container are coupled by the connector. In contrast, the Yamazaki involves rotating plate 108 on the bottom of the filter housing 48 and a rotating plate 110 within base 12 for blocking and unblocking the respective ports in the filter housing and the base. Such plates are controlled by rotation of the filter unit 16 about its longitudinal axis, not independently, and are not accessible from the outside of the filter housing 48 and base 12.

Specifically, the Yamazaki patent discloses a filter system having a filter unit 16 with a filter housing 48 provided by outer wall 70, upper wall 78 and a lower portion with ports 90 and 92. Plate 108 with openings 132 and 134 can rotate about axis 34 relative to the bottom portion of the filter housing to open and close the filter housing ports 90 and 92 by selectively placing ports 90 and 92 and openings 132 and 134 in registration and out of registration. Similarly, plate

110 has openings 148 and 150 which can be selectively placed into and out of registration with ports 36 and 40 on base body 20 by pivoting the plate about axis 34.

As particularly illustrated in Fig. 1, the Yamazaki plates 108 and 110 are entrapped between and are enclosed within the filter housing and the base 12. They are not located on exterior surfaces of the filter housing 48 and the base 12 so as to be accessible, as claimed. In the Yamazaki system, removal of the filter medium 76 requires initial removal of lid 56 to gain access to filter unit 16 and handle 80 on upper wall 78. The handle is then rotated through a first 90° turn for rotation between the filter housing and the plate 108 to block ports 90 and 92. Continued rotation through another 90° turn causes rotation of plate 110 to block ports 36 and 40 in body 20. In this manner, the blocking and unblocking can only be accomplished by removal of the lid 56 and relative rotation of the filter within the housing 48.

Since the Yamazaki plate 110 alleged to correspond to the claimed blocking part is pivotable or rotatable, not longitudinally displaceable, and is not located between and accessible from the exterior of the filter housing and the fluid container, the Yamazaki patent does not anticipate or render obvious the subject matter of claim 11.

Claims 12-24, being dependent upon claim 11, are also allowable for the above reasons. Moreover, these dependent claims are further distinguished by the additional limitations recited therein.

Claim 12 is further distinguished by the fluid container comprising a hydraulic tank, particularly within the overall claim combination.

Claim 13 is further distinguished by the blocking part being guided for moving between and sealed between connecting plates. Relative to the connecting plates, the Yamazaki plates

108 and 110 are cited. Since the means 106 relied upon in the Yamazaki patent for the blocking part is also the plate 110, the plate 110 is improperly interpreted as providing both the blocking part and one of the connecting plates.

Claim 14 is further distinguished by the fluid inlet and outlet, the fluid passages in the connecting plates and the blocking parts having wall parts, as claimed. Such features are not anticipated or rendered obvious by the Yamazaki patent.

Claim 15 is further distinguished by the fluid inlet and outlet and the fluid passages being located one on top of another. In contrast, the Yamazaki inlet and outlet and fluid passages alleged to correspond to these claimed features are located side-by-side, and not on top of one another in the direction of the longitudinal axis, as claimed.

Claim 16 is further distinguished by the recited valves which are separate from the blocking part. Since at least one of the plates 108 and 110 are relied upon as the blocking part, there are no valves as claimed in addition to the blocking part to properly meet the subject matter of claim 16.

Claim 17 is further distinguished by the valve disk recited therein. The opening 150 of plate 110 and the opening 132 of plate 108 do not constitute valve disks, particularly as claimed.

Claim 18 is further distinguished by the attachment part and the flange parts, particularly within the overall claim combination.

Claim 19 is further distinguished by the locking part with its mating opening in one of the flange parts and the recess in the blocking part. The Yamazaki projecting pin 156 is only slidable and engageable within the guide slot 158 of plate 108 to permit limited relative rotation between filter unit 16 and plate 108 before having simultaneous rotation of the filter unit and that plate.

In this manner, the Yamazaki pin is not received in an opening in a flange part, as recited in claim 18, as well as in a recess in the blocking part which was previously interpreted as plate 110.

Claim 20 is further distinguished by the locking device being a locking pin.

Claim 21 is further distinguished by the handle on each of the filter housing and the blocking part. No handles can be used with the openings 148, 150, 132 and 134, as alleged in the Office Action. No support is provided for this contention. Moreover, the handle 80 is on the filter unit 16 and not on its housing 48.

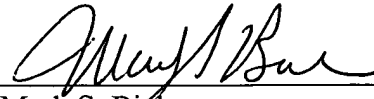
Claim 22 is further distinguished by the use of cast aluminum and steel or plastic for the various parts, within the overall claim combination.

Claim 23 is further distinguished by the blocking part moving translationally between its blocking and open positions. Since the Yamazaki plates pivot or rotate, they do not move translationally, as claimed.

Claim 24 is further distinguished by the fluid connections extending perpendicular to the longitudinal axis of the filter housing. In contrast, the fluid connections in the Yamazaki patent extend parallel to the filter housing longitudinal axis.

In view of the foregoing, claims 11-24 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark S. Bicks', written over a horizontal line.

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